

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BOARD OF TRUSTEES OF THE  
EMPLOYEE PAINTERS' TRUST,

Plaintiff,

V.

NORTHWEST REFRIGERATION  
SERVICES, LLC, et al.,

## Defendants.

CASE NO. C24-146 MJP

## ORDER ON MOTION TO STAY

This matter comes before the Court on the Stipulation and Order to Stay Case Pending  
elevation of Settlement Payment Plan (“Motion”). (Dkt. No. 9.) Having reviewed the Motion  
supporting materials, the Court GRANTS in part and DENIES in the Motion.

Plaintiff has entered into a settlement agreement with three of the five named defendants in this action: Northwest Refrigeration Services, LLC, Jamie Burke Macki, and Molly Susanne Macki (collectively, the “NRS Defendants”). (Stip. at 2.) The settlement requires the NRS Defendants to make payments over a six month period. (Id.) These parties ask the Court to stay

1 the NRS Defendants' answer deadline and all discovery dates and deadlines through October 31,  
2 2024—the completion of the six-month payment period. (Id. 2-3.) Provided the NRS Defendants  
3 make the payments, Plaintiff will “file a Stipulation for Dismissal of all claims with prejudice on  
4 or before October 31, 2024.” (Id. at 3.) But Plaintiff has not served the remaining two  
5 defendants: The North River Insurance Company and Allegheny Casualty Company (together,  
6 the “Insurer Defendants”). (Id. at 2.)

7 The Court GRANTS the request to extend the answer deadline and stay discovery to  
8 October 31, 2024, but only as to NRS Defendants. The Court DENIES the request as to the  
9 Insurer Defendants. These defendants have yet to be served and do not appear to be parties to the  
10 settlement discussed in the Motion. Plaintiff has failed to explain why any case deadlines should  
11 be stayed as to these unserved defendants. Plaintiff must therefore continue to litigate its claims  
12 against the Insurer Defendants and no deadlines shall be stayed as to them. On this basis the  
13 Court GRANTS in part and DENIES in part the Motion.

14 The clerk is ordered to provide copies of this order to all counsel.

15 Filed May 29, 2024.



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17 Marsha J. Pechman  
18 United States Senior District Judge  
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